



LUFTMAN, HECK & ASSOCIATES LLP  
Attorneys at Law

# What to Do if the Police Want to Question You in Ohio

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# Your Rights During a Police Stop

## **BASIC INFO IS REQUIRED**

You must provide your name, address, and date of birth if asked by a police officer.

## **YOUR RIGHT TO REMAIN SILENT**

Beyond the basics, you can refuse to answer additional questions and assert your right to remain silent.

## **ASK ABOUT YOUR STATUS**

If stopped, ask if you are being detained or arrested. If not, you have the right to leave.

## **DO NOT CONSENT TO SEARCHES**

You can refuse to consent to a police search of your person or belongings unless you choose otherwise.

## **SEEK LEGAL COUNSEL**

For serious matters, contact a lawyer at Luftman, Heck & Associates as soon as possible to protect your rights.

# The Do's & Don'ts During Police Encounters

Following these guidelines can help protect your rights and avoid escalating the situation if Ohio police question you.

## Do

### **DO REMAIN CALM**

Cooperate with basic requests, such as providing identification, but remain silent on further questions. Keeping a calm demeanor can help the encounter proceed more smoothly and show that you are not a threat.

## Do Not

### **DO NOT ARGUE**

Arguing with a police officer can escalate the situation and may lead to additional charges like obstruction. Even if you believe the officer is wrong, stay calm and assert your rights respectfully.

### **DO NOT DISCUSS DETAILS WITH OTHERS**

Avoid discussing the details of your case with anyone except your lawyer. Conversations with friends, family, or other individuals can be used against you if they are called to testify. Only your attorney is legally obligated to keep your discussions confidential.

# When & Why Police May Question You

Law enforcement may seek to question you if they believe you witnessed or were involved in a crime.

## Types of Police Encounters



### **VOLUNTARY ENCOUNTERS:**

Police do not need a warrant or probable cause to approach and question you voluntarily.



### **TEMPORARY DETENTION**

Police may briefly detain you if they reasonably suspect you of involvement in a crime. You still have the right to remain silent beyond providing basic identifying information.

## Common Situations and What to Expect



### STOPPED ON THE STREET

- In public place, an officer may stop you. This may be considered a “stop” or temporary detention.
- Politely ask if you are free to leave.
- If the officer says no, you are being detained and have the right to remain silent beyond basic information. State, “I choose to remain silent” or “I want to speak to a lawyer.”



### AT HOME OR WORK

- Unless the police has a warrant, you are not obligated to let them in or answer questions.
- You can politely decline entry and state, “I prefer not to answer questions without my attorney present.”
- If they have a warrant, ask to see it and contact a lawyer immediately.



### TRAFFIC STOPS

- You must provide your driver’s license, vehicle registration, and proof of insurance if asked. Beyond this, you have the right to remain silent.
- Once the necessary checks are completed, politely ask if you are free to go. If the officer says no, you may be temporarily detained. Refrain from making statements and consider contacting an attorney if the stop escalates.



### DETAINED OR ARRESTED

- Once detained or arrested, avoid making any statements, as anything you say can be used against you. State clearly, “I want to remain silent and speak to my lawyer.”

# Should You Talk to Police Without a Lawyer?

Talking to the police without an attorney may put your rights at risk, especially if you're under investigation.

Generally, it's best to have legal counsel before speaking to law enforcement.

Without an attorney, you risk self-incrimination. Anything you say can be used against you as evidence, even seemingly harmless statements.



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